

THIRTIETH DAY.

Senate Chamber,
Austin, Texas,
Friday, Feb. 25, 1927.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Parr.
Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Fairchild.	Reid.
Floyd.	Russek.
Hall.	Smith.
Hardin.	Stuart.
Holbrook.	Triplett.
Lewis.	Ward.
Love.	Westbrook.
McFarlane.	Wirtz.
Miller.	Witt.
Moore.	Wood.
Neal.	Woodward.

Absent.

Greer.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

Bills and Resolutions.

By Senator Wood:

S. B. No. 433, A bill to be entitled "An Act relating to the verdict of jurors in civil cases amending Articles 2203 and 2204, of the Revised Civil Statutes of 1925 so as to authorize a verdict to be rendered in any cause in the district court upon the concurrence of nine members of the jury trying the same, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Holbrook:

S. B. No. 434, A bill to be entitled "An Act to repeal Chapter 63, special law passed by the Thirty-third Legislature, and to repeal Chapter 98,

special law passed by the Thirtieth Legislature, being special road laws, and amendments thereto for Brazoria County, and declaring an emergency."

Read first time and referred to Committee on Highways and Motor Traffic.

By Senator Wood:

S. J. R. No. 27, A joint resolution "Proposing an amendment to the State Constitution providing that the permanent university fund shall be invested in bonds of the State of Texas, United States bonds, or bonds issued under and by virtue of the Federal Farm Loan Act approved by the President of the United States, July 17, 1916, and amendments thereto."

Read first time and referred to Committee on Constitutional amendments.

Addition to the Committee on Penitentiaries.

The Chair announced that owing to the fact that Senator Witt would be unable to take the trip to visit the State Penitentiary Farms, Senator Moore was added to the committee and requested to take the trip.

Bills Signed.

After their captions were read, the Chair signed, in the presence of the Senate, the following bills:

H. B. No. 150.	H. B. No. 16.
H. B. No. 335.	S. B. No. 249.
H. B. No. 372.	S. B. No. 232.
H. B. No. 201.	S. B. No. 235.
H. B. No. 11.	S. B. No. 139.

Senate Joint Resolution No. 15.

The Chair laid before the Senate, on final passage, the following resolution:

S. J. R. No. 15, A joint resolution "Proposing to amend Sections 4, 5, 12, 16, 22, and 23 of Article IV, Constitution of Texas.

The resolution was read third time and finally passed by the following vote:

Yeas—28.

Bailey.	Hall.
Berkeley.	Hardin.
Bledsoe.	Holbrook.
Bowers.	Lewis.
Fairchild.	Love.
Floyd.	McFarlane

Miller.	Smith.
Moore.	Stuart.
Neal.	Triplett.
Parr.	Ward.
Pollard.	Westbrook.
Real.	Wirtz.
Reid.	Wood.
Russek.	Woodward.

Absent.

Greer.	Witt.
Price.	

Messages From the House.

The Chair recognized the Door-keeper, who introduced a messenger from the House with the following messages:

Hall of the House of Representatives,
Austin, Texas, Feb. 25, 1927.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 30, A bill to be entitled "An Act authorizing the creation of a junior college in any independent district or city that has assumed control of its schools in the State of Texas, and with certain other limitations, and declaring an emergency."

With amendments.

Rescinded the vote by which,

S. B. No. 223, A bill to be entitled "An Act changing the time for holding court in the Twenty-eighth Judicial District, amending Section 28 of Article 199 of Title 8 of the Revised Statutes of Texas, changing the time of holding the terms of the District Court of the Twenty-eighth Judicial District of Texas, repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Was finally passed, concurred in the Senate amendment, and finally passed the bill.

S. B. No. 232, A bill to be entitled "An Act authorizing private corporations to be formed for any one or more of the following purposes. To accumulate and loan money, to sell and deal in notes, bonds and securities but without banking privileges; to act as trustee under any lawful express trust committed to it by contract. And as agent for the performance of any lawful act; to issue debentures, to subscribe for purchase, invest in, hold, own, assign, pledge and otherwise deal in and dispose of

shares of capital stock, bonds, mortgages, debentures, notes and other securities or obligations, contracts and evidences of indebtedness of foreign or domestic corporations not competing with each other in the same line of business, provided that the power and authority herein conferred shall in no way affect any of the provisions of the anti-trust laws of this State, and declaring an emergency."

S. B. No. 235, A bill to be entitled "An Act to amend Title 67, Chapter 3 of the Revised Civil Statutes of 1925, and to provide that any county or city authorized by Title 118 of the Revised Civil Statutes of 1925 to construct, extend, protect, strengthen, maintain, keep in repair, and otherwise improve any seawall or breakwater, levee, dike, floodway, and drainway may take any marl, gravel, sand or mudshell from any of the waters, reefs or bars included in Title 67, Chapter 3, Revised Civil Statutes of 1925 for use in any such work without payment therefor by such county or city or by any contractor doing such work for any such county or city to the Game, Fish and Oyster Commissioner, or to the State of Texas, and providing an emergency."

S. B. No. 248, A bill to be entitled "An Act providing that all conservation and reclamation districts organized under the provisions of Chapter 8, Title 128, Revised Civil Statutes of Texas and, or, Chapter 2, of Title 128, Revised Civil Statutes of Texas are hereby validated under the name of Water Improvement Districts and in the organization of which petitions were signed by more than fifty persons owning land within the boundaries of such district and said petitions were filed in the month of September, 1926, and on which petitions hearings were held by the county commissioners' court in the month of October, 1926, and in which such court entered its order of judgment finding in favor of the petitioners for the establishment of such district, and elections were held for the purpose of voting upon the organization of such districts and the issuance of notes by such districts such elections being held in November, 1926, and at which elections the organization of the districts and the issuance of notes received more than a two-thirds majority of the

votes cast and at which elections directors were elected for such districts, the organization of such districts and the authorization for the issuance of notes by such districts are hereby ratified, validated, approved and confirmed. All such districts are hereby expressly declared to be validly created and organized. The directors of such districts shall have the power, and are hereby expressly authorized to make and enter any and all orders and provisions necessary for the purpose of issuing and selling the notes voted and authorized by said elections and are expressly authorized to levy general ad valorem taxes on all property situated in such districts, at the time such notes are issued, in amount sufficient to pay the interest on such notes and the principal thereof as same mature, and the cost of assessing and collecting such taxes, and such notes when issued and delivered shall be the general, direct and binding obligations of such districts so issuing same. It shall not be necessary to validate such notes by a suit in court or any other proceeding. And further providing all such districts shall be conservation and reclamation districts under the provisions of Chapters 2 and 8 of Title 128 Revised Civil Statutes of Texas, and under Section 59 of Article 16 of the Constitution and may incur indebtedness to carry out the purposes of its organization such indebtedness being authorized by a majority of the votes cast at an election held for that purpose and may levy taxes for the payment of its obligations and maintenance and operation, and shall be governed by the provisions of the law applying to water improvement districts except as otherwise herein provided. And further providing that all such districts, described in this Act may appoint a tax assessor and collector in the manner provided by law, but provided that the directors of such districts may adopt the rendition and equalization of property for taxation as made by the county tax assessor and as equalized by the county commissioners' court sitting as a board of equalization as fixing and determining the taxable values of all property situated within such districts and as so assessed, equalized and fixed, and further providing the method of so adopting same and of certifying all

tax levies to the office of the county tax assessor and the county tax collector and the method of entering such taxes on the tax rolls and making tax rolls and of collecting such taxes by the county tax collector, and that said county tax assessor and county tax collector shall be paid a reasonable compensation not to exceed the rates provided by law for similar duties but that same shall be in addition to all other fees and compensation now provided by law for such officers, and providing that said tax collector shall keep a complete record of all taxes collected and uncollected and of all receipts for taxes issued by him, that he shall pay to the district depository all sums collected by him for the district and providing for reports of such officers, the accounting for such funds, keeping of finance ledgers and providing for the assessment, equalization, and collection of taxes and accounting for same, and that when so assessed and collected the provisions of the law for the collection of State and county taxes shall apply thereto, except as herein otherwise provided, and that in such event the provisions of the law providing for the assessment and collection of taxes by district through its own offices shall not apply thereto, providing generally for the validation of districts described herein, the issuance of notes, the levy, assessment and collection of taxes and the conduct and government of such districts, and declaring an emergency."

Respectfully submitted,

M. LOUISE SNOW,

Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, Feb. 25, 1927.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 421, A bill to be entitled "An Act to amend Chapter 65 of the Local and Special Laws enacted by the First Called Session of the Thirtieth Legislature of the State of Texas, known as House Bill No. 202, creating Road District No. 4 in Atascosa County, Texas, and validating certain district road bonds of said road district and proceeding had with respect to their issue, so as to repeal Section 3b of said Special Act, legalizing, approving and validating

the proposition of issuing district road bonds of said road district in the sum of four hundred and fifty thousand dollars (\$450,000.00) and certain orders and proceedings recited to have been had with respect thereto; declaring intention to in no wise affect any other provisions of said Special and Local Law; evidencing proof of publication of constitutional notice required in such acts, and declaring an emergency."

S. B. No. 230, A bill to be entitled "An Act creating the County Court at Law of McLennan County, defining the jurisdiction of said court; regulating practice therein; prescribing the terms of said court; providing for clerk thereof; providing for the transfer of all cases pending in the county court of said court; creating the office of Judge of the County Court at Law of McLennan County; providing for the selection of the judge of said court; prescribing his qualifications, fixing his compensations; and limiting the jurisdiction of the County Court of McLennan County and providing for the annual salary of the County Judge."

S. B. No. 245, A bill to be entitled "An Act to amend Chapter 17, of the Harris County road law, passed by the Regular Session of the Thirty-third Legislature of the State of Texas, by amending Sections 9 and 19 thereof, with respect to the method of making purchases of materials and supplies and the awarding of contracts therefor, etc., and declaring an emergency."

S. B. No. 356, A bill to be entitled "An Act to create Road District No. 9 of Fort Bend County, Texas; validating and approving all orders made by the commissioners' court of said county in respect to the organization of said district; validating the authorization of certain road bonds thereof, and providing for the issuance and sale thereof; authorizing the commissioners' court to levy and provide for the assessment and collection of general ad valorem taxes on all taxable property in said road district in payment of principal and interest on said bonds; approving and validating all orders of the commissioners' court of said county in respect of said road district, bonds and taxes, or certified copies thereof, and constituting such orders legal evidence; evidencing proof of publication of constitutional notice required

in such acts, and declaring an emergency."

Respectfully submitted,

M. LOUISE SNOW.

Chief Clerk, House of Representatives.

House Bill No. 118.

The Chair laid before the Senate, as pending business, the following bill:

H. B. No. 118, A bill to be entitled "An Act to amend Articles 5431 and 5432, of Title 88 of the Revised Civil Statutes of the State of Texas of 1925, relating to damages by libel; mitigation of damages occasioned by libel, and the defense in causes of action for libel, and defining privileged matters."

The question recurred upon the amendment by Senator Wirtz.

Senator Moore sent up the following substitute for the amendment by Senator Wirtz:

Substitute Amendment for Amendment No. 2, H. B. No. 118.

By Senators Moore, Bailey, Woodward, Holbrook and Berkeley:

Amend H. B. No. 118 as printed on page 506 of Senate Journal by striking out of Section 3 of the bill the following words: "of the acts and conduct and motives of public officials and public employees and of candidates for public office."

The substitute was read and adopted.

The amendment as substituted was adopted.

Senator Wirtz sent up the following amendment:

Amend the substitute by striking out of Article 5432 the period after the word, "libel" just before paragraph 1, and add the following: "without proof of actual malice."

The amendment was read.

Senator Woodward moved to table the amendment.

The motion to table prevailed by the following vote:

Yeas—20.

Bailey.	Pollard.
Berkeley.	Price.
Bledsoe.	Real.
Floyd.	Reid.
Holbrook.	Smith.
Lewis.	Triplett.
Love.	Ward.
McFarlane.	Westbrook.
Moore.	Wood.
Neal.	Woodward.

Nays—8.

Bowers.	Miller.
Fairchild.	Russek.
Hall.	Stuart.
Hardin.	Wirtz.

Absent.

Greer.	Witt.
Parr.	

The bill was ordered engrossed.

On motion of Senator Love, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 118 was put on its third reading and final passage, by the following vote:

Yeas—26.

Bailey.	Neal.
Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Fairchild.	Reid.
Floyd.	Russek.
Hall.	Smith.
Hardin.	Stuart.
Holbrook.	Triplett.
Lewis.	Ward.
Love.	Wirtz.
McFarlane.	Wood.
Moore.	Woodward.

Nays—1.

Miller.

Absent.

Greer.	Westbrook.
Parr.	Witt.

The bill was read third time and passed finally, by the following vote:

Yeas—29.

Bailey.	Pollard.
Berkeley.	Price.
Bledsoe.	Real.
Bowers.	Reid.
Fairchild.	Russek.
Floyd.	Smith.
Hall.	Stuart.
Hardin.	Triplett.
Holbrook.	Ward.
Lewis.	Westbrook.
Love.	Wirtz.
McFarlane.	Witt.
Miller.	Wood.
Moore.	Woodward.
Neal.	

Absent.

Greer.	Parr.
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House Bills Referred.

After its caption was read, the Chair referred the following bill:

House Bill No. 21 to Committee on Highways and Motor Traffic.

Message From the Governor.

The Chair recognized the Door-keeper, who introduced a messenger from the Governor with the following executive messages:

Executive Department,
February 25, 1927.

To the Honorable Senate of the State of Texas.

Gentlemen: With your advice and consent, I desire to appoint Honorable William J. Tucker of Gregg County, to be Game, Fish and Oyster Commissioner of the State of Texas.

Respectfully submitted,

DAN MOODY,
Governor of Texas.

Executive Department,
February 25, 1927.

To the Honorable Senate of the State of Texas.

Gentlemen: With your advice and consent, I desire to appoint the following named persons to the office set opposite their names, respectively:

Honorable Clark M. Mullican of Lubbock County, as Judge of the District Court of the Ninety-ninth Judicial District.

Honorable Homer L. Pharr of Lubbock County, as Judge of the District Court of the Seventy-second Judicial District.

Respectfully submitted,

DAN MOODY,
Governor of Texas.

Senate Concurrent Resolution No. 25.

Senator Witt received unanimous consent to send up the following resolution:

Whereas, the National Educational Association of America is to be in its annual session in Dallas, Texas, during the next week, and

Whereas, We are advised that Dr. Bruce R. Payne, the President of the George Peabody College of Teachers one of the foremost educators of our country, is to be in attendance upon the sessions of said association, now therefore,

Be it Resolved by the Senate of the State of Texas, the House of Representatives concurring, That a cor-

dial invitation be extended to Dr. Payne to address, at his convenience, the Legislature of our State, and,

Be it Further Resolved, That the President of the Senate be authorized to acquaint Dr. Payne of that invitation.

The resolution was read and adopted.

Senate Bill No. 190.

Senator Fairchild called from the table the following bill:

S. B. No. 190, A bill to be entitled "An Act to prevent time warrants from being issued by or for any county or political subdivision of a county; defining the word "time warrant"; preventing the issuance of bonds to fund or refund, or the proceeds of which may be for the purpose of paying or retiring, any such time warrants or other warrant heretofore or hereafter issued; and providing that any bond or warrants issued in violation of this Act shall be void; providing that this Act shall not apply to bonds or warrants under Title 118, Revised Civil Statutes of 1925, and declaring an emergency."

Senator Ward moved to rerefer the bill to the Committee on Civil Jurisprudence.

Senator Fairchild moved to table the motion.

The motion to table prevailed.

The question recurred upon the motion of Senator Fairchild to reconsider the vote by which the amendment by Senator Parr was finally passed.

The motion to reconsider prevailed.

Senator Parr withdrew the amendment.

Senator Parr sent up the following amendments:

Amend C. S. S. B. No. 190, by inserting in the caption just before the words "and declaring an emergency" the following words: "providing that this Act shall not apply to any county in this State in a senatorial district having not less than 190,000 population and not more than 195,000 population according to the last United States census;"

Amend C. S. S. B. No. 190, by adding at the end of Section 3 thereof the following:

"Provided that this Act shall not apply to any county in a senatorial district having not less than 190,000 population and not more than 195,000 population according to the last United States census."

The amendments were read.

Bills Signed.

After their captions were read, the Chair signed, in the presence of the Senate, the following bills:

S. B. No. 246, S. B. No. 3.
S. B. No. 356,

Senate Bill No. 230.

On the motion of Senator Witt, the Senate concurred in the House amendment to S. B. No. 230.

The following is the amendment:

Amend S. B. No. 230, by adding the following:

"Section 13. The provisions of this Act shall become effective on September 1, 1927, and not before."

Senate Bill No. 30.

On the motion of Senator Pollard, the Senate refused to concur in the House amendments to S. B. No. 30, and requested the House for a conference committee to settle the difference of the Senate and the House.

Senate Bill No. 430.

Senator Wood received unanimous consent to take up out of its order the following bill:

S. B. No. 430, A bill to be entitled "An Act providing for expenses of members of the State Highway Commission in connection with official duties; providing for the payment of said expenses out of an appropriation of the State Highway Fund heretofore made, and declaring an emergency."

The bill was read second time.

The committee report was adopted.

The bill was passed to engrossment.

On motion of Senator Wood, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 430 was put on its third reading and final passage, by the following vote:

Yeas—29.

Balley.	Miller.
Berkeley.	Moore.
Bledsoe.	Neal.
Bowers.	Parr.
Fairchild.	Pollard.
Hall.	Price.
Hardin.	Real.
Holbrook.	Reid.
Lewis.	Russek.
Love.	Smith.
McFarlane.	Stuart.

Triplett.	Witt.
Ward.	Wood.
Westbrook.	Woodward.
Wirtz.	

Absent.

Floyd.	Greer.
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The bill was read third time and passed finally, by the following vote:

Nays—30.

Bailey.	Pollard.
Berkeley.	Price.
Bledsoe.	Real.
Bowers.	Reid.
Fairchild.	Russek.
Hall.	Smith.
Hardin.	Stuart.
Holbrook.	Triplett.
Lewis.	Ward.
Love.	Westbrook.
McFarlane.	Wirtz.
Miller.	Witt.
Moore.	Wood.
Neal.	Woodward.
Parr.	

Absent.

Floyd.	Greer.
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Conference Committee on S. B. No. 30

The Chair announced the following conference committee on S. B. No. 30:

Pollard, Floyd, Price, Moore, Bledsoe.

Recess.

On the motion of Senator Pollard, the Senate, at 12:05 p. m., recessed until this afternoon at 2 o'clock.

After Recess.

The Senate was called to order at 2 o'clock p. m., by Lieutenant Governor Barry Miller, pursuant to recess.

Senate Bill No. 307.

Senator Bailey received unanimous consent to take up out of its order the following bill:

S. B. No. 307, A bill to be entitled "An Act to extend the time within which, and prescribe conditions upon which, domestic and foreign corporations which have defaulted in the payment of franchise taxes, penalties and interest may pay the same and have their right to do business revived, by extending until the first

day of September, A. D. 1927, the time during which all corporations of this kind may pay to the Secretary of State such franchise tax penalties and interest and have their right to do business revived, etc., and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Bailey, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 307 was put on its third reading and final passage, by the following vote:

Yeas—28.

Bailey.	Price.
Berkeley.	Real.
Bledsoe.	Reid.
Bowers.	Russek.
Hall.	Smith.
Hardin.	Stuart.
Holbrook.	Triplett.
Lewis.	Ward.
Love.	Westbrook.
Miller.	Wirtz.
Moore.	Witt.
Neal.	Wood.
Parr.	Woodward.
Pollard.	

Absent.

Fairchild.	Greer.
Floyd.	McFarlane.

The bill was read third time and passed finally, by the following vote:

Yeas—28.

Bailey.	Pollard.
Berkeley.	Price.
Bledsoe.	Real.
Bowers.	Reid.
Hall.	Russek.
Hardin.	Smith.
Holbrook.	Stuart.
Lewis.	Triplett.
Love.	Ward.
McFarlane.	Westbrook.
Miller.	Wirtz.
Moore.	Witt.
Neal.	Wood.
Parr.	Woodward.

Absent.

Fairchild.	Greer.
Floyd.	

Senate Bill No. 174.

Senator McFarlane received unanimous consent to take up out of its order the following bill:

S. B. No. 174, A bill to be entitled

"An Act to amend Section 5 and Section 6 of the General Laws, enacted at the Regular Session of the Thirty-ninth Legislature, pages 166 and 169 of the General Laws of the Regular Session of the State of Texas."

The bill was read second time and passed to engrossment.

Senate Bill No. 190.

The question recurred upon the amendment by Senator Parr.

The amendment was adopted.

The amendment by Senator Neal, printed in yesterday's Journal was read and adopted.

Unanimous consent was granted to change the word "must" in the amendment to "may" after the word "bill" and before "be."

The amendment was adopted.

Senator Fairchild sent up the following amendment:

Amend C. S. S. B. No. 190, by inserting in the caption just before the words "and declaring an emergency" the following words: "providing that this Act shall not apply to any county in this State in a senatorial district having not less than 109,000 population and not more than 110,000 population, according to the last United States census,"

Amend C. S. S. B. No. 190, by adding at the end of Section 3 thereof the following:

"Provided that this Act shall not apply to any county in a senatorial district having not less than 109,000 population, and not more than 110,000 population, according to the last United States census."

The amendment was read and adopted.

Senator Bailey sent up the following amendment:

Amend C. S. S. B. No. 190, by adding at the end of Section 4 thereof the following:

"Provided that this Act shall not prevent the issuance, under any law of this State authorizing the same, of any funding or refunding bonds to fund or refund any time warrants or bonds for road and bridge purposes already legally issued and outstanding at the time this Act takes effect."

The amendment was read and adopted.

The substitute by Senator Ward printed in yesterday's Journal was read.

The substitute was lost.

Senator Fairchild sent up the following amendments:

Amend S. B. No. 190, page 5, by adding Section 4a to read as follows:

"Provided that if any section of this law is declared unconstitutional it shall not affect the constitutionality of any other section of the bill."

The amendment was read and adopted.

Amend S. B. No. 190, by striking out the caption and inserting in lieu thereof the following:

S. B. No. 190, A bill to be entitled "An Act relating to county debts and warrants and bonds issued by or for counties; better regulating and restricting the same so far as to prevent counties from anticipating future revenues and creating excessive debts; enacting provisions as to time warrants and bonds to fund and refund county indebtedness; making certain exceptions and exemptions; enacting other provisions incidental to the main purpose of the Act, and creating an emergency."

The amendment was read and adopted.

The bill was passed to engrossment.

On motion of Senator Fairchild, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 190 was put on its third reading and final passage, by the following vote:

Yeas—24.

Bailey.	Miller.
Berkeley.	Moore.
Bledsoe.	Neal.
Bowers.	Parr.
Fairchild.	Pollard.
Floyd.	Price.
Hall.	Reid.
Hardin.	Smith.
Holbrook.	Triplett.
Lewis.	Wirtz.
Love.	Witt.
McFarlane.	Wood.

Nays—2.

Ward.	Westbrook.
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Absent.

Greer.	Stuart.
Real.	Woodward.
Russek.	

Senate Bill No. 238.

Senator Hall received unanimous consent to take up the following bill:

S. B. No. 238, A bill to be entitled "An Act to revive and extend for a period of two years from the passage of this Act Oil and Gas Permit No. 2609, embracing two hundred acres in San Jacinto Bay, Harris County, Texas, said reviving and extension to be upon the same terms and conditions on which the original permit was issued, except that the owners who may desire to take advantage of this Act shall pay into the General Land Office within thirty days after the taking effect hereon twenty-five cents per acre for each acre within the permit for the first year and fifty cents per acre for each acre within the permit for the second year; providing for the payment of royalty to the State in the manner provided by law for other leases in the same locality, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Hall, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 238 was put on its third reading and final passage, by the following vote:

Yeas—26.

Bailey.	Moore.
Berkeley.	Neal.
Bledsoe.	Parr.
Bowers.	Pollard.
Fairchild.	Price.
Floyd.	Reid.
Hall.	Smith.
Hardin.	Stuart.
Holbrook.	Ward.
Lewis.	Westbrook.
Love.	Wirtz.
McFarlane.	Witt.
Miller.	Wood.

Absent.

Greer.	Triplett.
Real.	Woodward.
Russek.	

The bill was read third time and passed finally, by the following vote:

Yeas—25.

Bailey.	Floyd.
Berkeley.	Hall.
Bowers.	Hardin.
Fairchild.	Holbrook.

Lewis.	Reid.
Love.	Smith.
McFarlane.	Triplett.
Miller.	Ward.
Moore.	Westbrook.
Neal.	Wirtz.
Parr.	Witt.
Pollard.	Wood.
Price.	

Absent.

Bledsoe.	Russek.
Greer.	Stuart.
Real.	Woodward.

Message From the House.

The Chair recognized the Door-keeper, who introduced a messenger from the House, with the following message:

Hall of the House of Representatives,
Austin, Texas, Feb. 25, 1927.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 501, A bill to be entitled "An Act requiring the Banking Commissioner of Texas to file a final report of all liquidations; providing that upon approval of such final report the charter of each such bank shall be forfeited; and further providing for the filing of certificates of such forfeiture, and declaring an emergency."

H. B. No. 502, A bill to be entitled "An Act requiring directors of State banks, bank and trust companies and banking corporations, organized and doing business under the laws of this State, to be elected annually, and declaring an emergency."

H. B. No. 503, A bill to be entitled "An Act relieving State banks in the hands of the Banking Commissioner for liquidation, from the payment of franchise taxes; providing that the failure of the Commissioner to pay franchise taxes for any such bank shall not operate to revoke or forfeit the charter of such corporation; repealing all laws in conflict, and declaring an emergency."

H. B. No. 504, A bill to be entitled "An Act amending Article 517, Revised Civil Statutes of Texas, 1925, and providing that no attorney's fee shall be collectible on notes or other evidence of debt issued by a State bank in the hands of the Commissioner for liquidation, where such notes or other evidence of debt are

placed with an attorney for collection within thirty days after closing of such bank, and declaring an emergency."

H. B. No. 505, A bill to be entitled "An Act prohibiting the Banking Commissioner and his employes from purchasing, directly or indirectly, any asset belonging to a State bank in the hands of the Commissioner for liquidation; providing penalty, and declaring an emergency."

H. B. No. 506, A bill to be entitled "An Act amending Article 497, Revised Civil Statutes of Texas, 1925, and empowering the Banking Commissioner to require from State banks any statement concerning the affairs of such corporation as he may deem necessary; providing a penalty; fixing the venue of suits, and the disposition of penalties collected, and declaring an emergency."

H. B. No. 507, A bill to be entitled "An Act repealing Article 372, Revised Civil Statutes of Texas, 1925, and declaring an emergency."

H. B. No. 508, A bill to be entitled "An Act to require all State banks, savings banks, and bank and trust companies to adopt by-laws and to file certified copies of such by-laws with the Banking Commissioner; providing a penalty, and declaring an emergency."

Respectfully submitted,

M. LOUISE SNOW,
Chief Clerk, House of Representatives.

Senate Bill No. 190.

Senate Bill No. 190 was finally passed by the following vote:

Yeas—21.

Bledsoe.	Moore.
Bowers.	Neal.
Fairchild.	Parr.
Floyd.	Pollard.
Hall.	Price.
Hardin.	Reid.
Holbrook.	Smith.
Lewis.	Westbrook.
Love.	Wirtz.
McFarlane.	Witt.
Miller.	

Nays—3.

Berkeley.	Ward.
Triplett.	

Absent.

Bailey.	Stuart.
Greer.	Wood.
Real.	Woodward.
Russek.	

Senate Bill No. 188.

Senator Fairchild received unanimous consent to take up out of its order the following bill:

S. B. No. 188, A bill to be entitled "An Act authorizing the employment and compensation of a stenographer, clerk or assistant to the county judge in any county having a city of 40,000 inhabitants or more, according to the last United States census; prescribing the duties of such clerk or assistant, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Holbrook, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 188 was put on its third reading and final passage, by the following vote:

Yeas—24.

Berkeley.	Neal.
Bledsoe.	Parr.
Bowers.	Pollard.
Fairchild.	Price.
Floyd.	Reid.
Hall.	Smith.
Hardin.	Triplett.
Holbrook.	Ward.
Lewis.	Westbrook.
Love.	Wirtz.
Miller.	Witt.
Moore.	Wood.

Nays—0.

Bailey.	Russek.
Greer.	Stuart.
McFarlane.	Woodward.
Real.	

The bill was read third time and passed finally, by the following vote:

Yeas 29.

Bailey.	Moore.
Berkeley.	Parr.
Bledsoe.	Pollard.
Bowers.	Price.
Fairchild.	Reid.
Floyd.	Triplett.
Hall.	Ward.
Hardin.	Westbrook.
Holbrook.	Wirtz.
Lewis.	Witt.
Love.	Wood.
McFarlane.	Woodward.

Nays—0.

Greer.	Neal.
Miller.	Real.

Russek.
Smith.

Stuart.

Senate Bill No. 353.

Senator Miller received unanimous consent to take up out of its regular order the following bill:

S. B. No. 353, A bill to be entitled "An Act repealing local and special road law of Parker County, Texas, which was presented to the Governor for approval on March 21, A. D. 1899, and became a law without his approval, and repealing any and all local or special road laws for Parker County, and declaring an emergency."

The bill was read second time, the committee report was adopted, and passed to engrossment.

On motion of Senator Miller, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 353 was put on its third reading and final passage, by the following vote:

Yeas—24.

Bailey.	Neal.
Berkeley.	Parr.
Bledsoe.	Pollard.
Bowers.	Price.
Fairchild.	Reid.
Floyd.	Smith.
Hall.	Triplett.
Hardin.	Ward.
Holbrook.	Westbrook.
Lewis.	Wirtz.
Love.	Witt.
McFarlane.	Wood.
Miller.	Woodward.
Moore.	

Absent.

Greer.	Russek.
Real.	Stuart.

The bill was read third time and passed finally, by the following vote:

Yeas—27.

Bailey.	Neal.
Berkeley.	Parr.
Bledsoe.	Pollard.
Bowers.	Price.
Fairchild.	Reid.
Floyd.	Smith.
Hall.	Triplett.
Hardin.	Ward.
Holbrook.	Westbrook.
Lewis.	Wirtz.
Love.	Witt.
McFarlane.	Wood.
Miller.	Woodward.
Moore.	

Absent.

Greer.
Real.

Russek.
Stuart.

Senate Bill No. 268.

Senator Pollard received unanimous consent to take up out of its regular order the following bill:

S. B. No. 268, A bill to be entitled "An Act to amend Section 21, Article 8308 of the Revised Civil Statutes of 1925 to provide for the payment by the associations of judgments in a court of law, or in a court of admiralty and maritime jurisdiction by which subscribers who have complied with all the rules, regulations and demands of the association are required to pay to any employee any damages, actual or exemplary, on account of any personal injury sustained by such employee in the course of his employment during the period of subscription, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Pollard, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 268 was put on its third reading and final passage, by the following vote:

Yeas—24.

Bailey.	Pollard.
Berkeley.	Price.
Bowers.	Real.
Fairchild.	Reid.
Floyd.	Stuart.
Hall.	Triplett.
Hardin.	Ward.
Holbrook.	Westbrook.
Lewis.	Wirtz.
Love.	Witt.
McFarlane.	Wood.
Parr.	Woodward.

Present—Not Voting

Smith.	Moore.
Bledsoe.	Neal.
Greer.	Russek.
Miller.	

The bill was read third time and passed finally.

Senate Bill No. 153.

On motion of Senator Lewis, S. B. No. 153 was made a special order after the special orders already set.

Senate Bill No. 267.

Senator Price called from the table the following bill:

S. B. No. 267, A bill to be entitled "An Act to amend Articles 904 and 904-a of the State of Texas, relating to the fee for non-residents who reside in border counties of other states adjoining the State line of Texas, provided that same exemption shall be in effect as to only such non-residents of such states as may adopt a reciprocal provision exempting residents of border counties in Texas from the non-resident license fee."

The bill was read second time and passed to engrossment.

Senate Bill No. 415.

Senator Woodward received unanimous consent to take up the following bill:

S. B. No. 415, A bill to be entitled "An Act to change and prescribe the time for holding district court of the Fifty-first Judicial District of the State; and to conform all writs and process from such court to such changes and to make all writs and process issued or served before this Act takes effect, including recognizances and bonds, returnable to the terms of court in the several counties in said district, as herein fixed, and to validate the summoning of grand juries and petit juries; and providing for the continuation of court in session in said district when this Act takes effect, to the end of its term, and repealing all laws and parts of laws in conflict herewith."

The bill was read second time, committee report adopted, and passed to engrossment.

On motion of Senator Woodward, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 415 was put on its third reading and final passage, by the following vote:

Yeas—28.

Bailey.	Love.
Berkeley.	McFarlane.
Bledsoe.	Miller.
Bowers.	Moore.
Fairchild.	Parr.
Floyd.	Pollard.
Hall.	Price.
Hardin.	Real.
Holbrook.	Reid.
Lewis.	Smith.

Stuart.	Wirtz.
Triplett.	Witt.
Ward.	Wood.
Westbrook.	Woodward.

Absent.

Greer.	Russek.
Neal.	

The bill was read third time and passed finally.

Senate Bill No. 281.

Senator Wirtz received unanimous consent to take up out of its order the following bill:

S. B. No. 281, A bill to be entitled "An Act regulating the election of trustees in independent school districts heretofore created by Special Act of the Legislature, etc., and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Wirtz, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 281 was put on its third reading and final passage, by the following vote:

Yeas—28.

Bailey.	Parr.
Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Fairchild.	Reid.
Floyd.	Smith.
Hall.	Stuart.
Hardin.	Triplett.
Holbrook.	Ward.
Lewis.	Westbrook.
Love.	Wirtz.
McFarlane.	Witt.
Miller.	Wood.
Moore.	Woodward.

Absent.

Greer.	Russek.
Neal.	

The bill was read third time and passed finally, by the following vote:

Yeas—23.

Bailey.	Love.
Berkeley.	McFarlane.
Bledsoe.	Parr.
Bowers.	Pollard.
Floyd.	Price.
Hall.	Real.
Holbrook.	Reid.
Lewis.	Stuart.

Triplett.	Witt.
Ward.	Wood.
Westbrook.	Woodward.
Wirtz.	

Absent.

Fairchild.	Moore.
Greer.	Neal.
Hardin.	Russek.
Miller.	Smith.

Senate Bill No. 256.

Senator Witt received unanimous consent to take up out of its regular order the following bill:

S. B. No. 256, A bill to be entitled "An Act to provide for the organization or admission and the regulation and taxation of incorporated mutual insurance companies; repealing Chapter 6, Title 28, of the Revised Civil Statutes of 1925, and all other laws or parts of laws in conflict herewith; providing a penalty for the violation of the provisions thereof, and declaring an emergency."

The bill was read second time.

Senator Love sent up the following amendment:

Amend S. B. No. 256, Sec. 13, by adding thereto an additional subdivision to be entitled, subdivision "F", which said subdivision "F" shall read as follows:

"F." It shall annually file with the commissioner a bond in the penal sum of \$25,000.00 conditioned that it will pay off and discharge all final judgments rendered against it in the courts of this State, said bond to be in the form prescribed by the Commissioner and subject to his approval.

The amendment was read and adopted.

The bill was passed to engrossment.

On motion of Senator Witt, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 256 was put on its third reading and final passage, by the following vote:

Yeas—28.

Bailey.	Holbrook.
Berkeley.	Lewis.
Bledsoe.	Love.
Bowers.	McFarlane.
Fairchild.	Miller.
Floyd.	Moore.
Hall.	Parr.
Hardin.	Pollard.

Price.	Ward.
Real.	Westbrook.
Reid.	Wirtz.
Smith.	Witt.
Stuart.	Wood.
Triplett.	Woodward.

Absent.

Greer.	Russek.
Neal.	

The bill was read third time and passed finally, by the following vote:

Yeas—28.

Bailey.	Parr.
Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Fairchild.	Reid.
Floyd.	Smith.
Hall.	Stuart.
Hardin.	Triplett.
Holbrook.	Ward.
Lewis.	Westbrook.
Love.	Wirtz.
McFarlane.	Witt.
Miller.	Wood.
Moore.	Woodward.

Absent.

Greer.	Russek.
Neal.	

Senate Bill No. 327.

Senator Triplett received unanimous consent to take up out of its regular order the following bill:

S. B. No. 327, A bill to be entitled "An Act amending Chapter 185, Local and Special Laws enacted by the Thirty-ninth Legislature at its Regular Session in 1925, same being an amendment to Section 11, Chapter 16, of the Local and Special Laws enacted by the First Called Session of the Thirty-seventh Legislature, in 1921, same being a special road law for Liberty County, by adding thereto Section 11-a, to permit the issuance of bonds by Liberty County for the purpose of funding or refunding indebtedness incurred for road and bridge purposes, and to levy a tax in payment thereof, and declaring an emergency."

The bill was read second time, committee report adopted, and passed to engrossment.

On motion of Senator Triplett, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 327 was put

on its third reading and final passage, by the following vote:

Yeas—28.

Bailey.	Parr.
Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Fairchild.	Reid.
Floyd.	Smith.
Hall.	Stuart.
Hardin.	Triplett.
Holbrook.	Ward.
Lewis.	Westbrook.
Love.	Wirtz.
McFarlane.	Witt.
Miller.	Wood.
Moore.	Woodward.

Absent.

Greer.	Russek.
Neal.	

The bill was read third time and finally passed, by the following vote:

Yeas—28.

Bailey.	Parr.
Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Fairchild.	Reid.
Floyd.	Smith.
Hall.	Stuart.
Hardin.	Triplett.
Holbrook.	Ward.
Lewis.	Westbrook.
Love.	Wirtz.
McFarlane.	Witt.
Miller.	Wood.
Moore.	Woodward.

Absent.

Greer.	Russek.
Neal.	

Senate Bill No. 159.

Senator Parr received unanimous consent to take up out of its order the following bill:

S. B. No. 159, A bill to be entitled "An Act making an emergency and supplementary appropriation out of the General Revenues of the State to be used by the Live Stock Sanitary Commission of Texas in the eradication and control of contagious, infectious and communicable diseases of livestock, etc., and declaring an emergency."

The bill was read second time, committee report adopted, and passed to engrossment.

On motion of Senator Parr, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 159 was put on its third reading and final passage, by the following vote:

Yeas—28.

Bailey.	Parr.
Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Fairchild.	Reid.
Floyd.	Smith.
Hall.	Stuart.
Hardin.	Triplett.
Holbrook.	Ward.
Lewis.	Westbrook.
Love.	Wirtz.
McFarlane.	Witt.
Miller.	Wood.
Moore.	Woodward.

Absent.

Greer.	Russek.
Neal.	

The bill was read third time and passed finally, by the following vote:

Yeas—22.

Bailey.	Parr.
Berkeley.	Real.
Bledsoe.	Reid.
Bowers.	Smith.
Floyd.	Stuart.
Hall.	Triplett.
Holbrook.	Westbrook.
Lewis.	Wirtz.
Love.	Witt.
McFarlane.	Wood.
Moore.	Woodward.

Absent.

Fairchild.	Pollard.
Greer.	Price.
Hardin.	Russek.
Miller.	Ward.
Neal.	

Messages From the House.

The Chair recognized the door-keeper who introduced a messenger from the House with the following messages:

Hall of the House of Representatives,
Austin, Texas, Feb. 16, 1927.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 509, A bill to be entitled "An Act making it a felony for any stockholder, officer, director, employe or agent of any bank, incorporated and operating under the laws of this State, to abstract, remove, destroy, or secrete any papers, books, or records of any such bank, or from the custody of the Banking Commissioner; providing a penalty; prescribing the procedure for the indictment and trial of principal offenders, accomplices, and accessories; repealing all laws in conflict, and declaring an emergency."

H. B. No. 510, A bill to be entitled "An Act making it a felony for any director, officer, or employe of a State bank or bank and trust company to enter into any contract with a bucket shop, as defined in Article 659 of the Penal Code of Texas, or to place any order with a bucket shop, as thus defined, for a margin contract or any contract denounced by Article 658 and by Article 661 of the Penal Code of Texas; fixing a penalty, and declaring an emergency."

H. B. No. 511, A bill to be entitled "An Act to amend Article 373, Revised Civil Statutes of Texas, adopted at the Regular Session of the Thirty-ninth Legislature, eliminating therefrom the words 'and a receiver or other agency appointed for the liquidation of its affairs and the payment of its debts,' and substituting therefor the following: 'and taken over by the Banking Commissioner of Texas for the purpose of liquidation, as provided by law,' and declaring an emergency."

H. B. No. 512, A bill to be entitled "An Act requiring all State banks to charge off annually for depreciation a percentage of cost for furniture and fixtures, and regulating the carrying of bank buildings as an asset, and declaring an emergency."

H. B. No. 513, A bill to be entitled "An Act to amend Article 455, Revised Civil Statutes of Texas, and eliminating therefrom the provision that stockholders who are depositors of insolvent banks shall be protected for only that portion of their deposits over and above their liability as stockholders; and providing for the venue of suits to enforce stockholders' liability, and declaring an emergency."

H. B. No. 514, A bill to be entitled "An Act amending Article 544 of

the Penal Code of the State of Texas of 1925, reducing the minimum penalty for embezzling or misapplying the funds of any State bank or bank and trust company incorporated under the laws of Texas as from five to two years, and declaring an emergency."

Respectfully submitted,

M. LOUISE SNOW,

Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, Feb. 25, 1927.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has adopted the following resolution:

S. C. R. No. 20, In regard to prices of free text-books sold in Texas as compared with prices in other states.

Respectfully submitted,

M. LOUISE SNOW,

Chief Clerk, House of Representatives.

Senate Bill No. 265.

Senator Berkley received unanimous consent to take up out of its order the following bill:

S. B. No. 265, A bill to be entitled "An Act transferring the civil and criminal jurisdiction of the county court of Edwards County to the district court of said county; providing that hereafter said county court shall have jurisdiction only in probate matters; providing for the transfer of cases and making provision for all things incidental to the purpose of this Act, and declaring an emergency."

The bill was read second time, the committee report was adopted, and passed to engrossment.

On motion of Senator Berkley, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 265 was put on its third reading and final passage, by the following vote:

Yeas—28.

Bailey.	Lewis.
Berkeley.	Love.
Bledsoe.	McFarlane.
Bowers.	Miller.
Fairchild.	Moore.
Floyd.	Parr.
Hall.	Pollard.
Flardin.	Price.
Holbrook.	Real.

Reid.	Westbrook.
Smith.	Wirtz.
Stuart.	Witt.
Triplett.	Wood.
Ward.	Woodward.

Absent.

Greer.	Russek.
Neal.	

The bill was read third time and passed finally, by the following vote:

Yeas—28.

Bailey.	Hardin.
Berkeley.	Holbrook.
Bledsoe.	Lewis.
Bowers.	Love.
Fairchild.	McFarlane.
Floyd.	Miller.
Hall.	Moore.
Parr.	Triplett.
Pollard.	Ward.
Price.	Westbrook.
Real.	Wirtz.
Reid.	Witt.
Smith.	Wood.
Stuart.	Woodward.

Absent.

Greer.	Russek.
Neal.	

Senate Bill No. 322.

Senator Moore received unanimous consent to take up out of its order the following bill:

S. B. No. 322, A bill to be entitled "An Act to provide for the manner of placing names of candidates on official ballots at special elections, etc., and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Moore, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 322 was put on its third reading and final passage, by the following vote:

Yeas—28.

Bailey.	Love.
Berkeley.	McFarlane.
Bledsoe.	Miller.
Bowers.	Moore.
Fairchild.	Parr.
Floyd.	Pollard.
Hall.	Price.
Hardin.	Real.
Holbrook.	Reid.
Lewis.	Smith.

Stuart.	Wirtz.
Triplett.	Witt.
Ward.	Wood.
Westbrook.	Woodward.

Absent.

Greer.	Russek.
Neal.	

The bill was read third time and passed finally.

Senate Bill No. 425.

Senator Reed received unanimous consent to take up out of its regular order the following bill:

S. B. No. 425, A bill to be entitled "An Act to amend Article 7005, Chapter 7, Title 121 of the Revised Civil Statutes of 1925 so as to place Briscoe County under the provisions of said Chapter, No. 7, Title 121."

The bill was read second time and passed to engrossment.

On motion of Senator Reed, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 425 was put on its third reading and final passage, by the following vote:

Yeas—28.

Bailey.	Parr.
Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Fairchild.	Reid.
Floyd.	Smith.
Hall.	Stuart.
Hardin.	Triplett.
Holbrook.	Ward.
Lewis.	Westbrook.
Love.	Wirtz.
McFarlane.	Witt.
Miller.	Wood.
Moore.	Woodward.

Absent.

Greer.	Russek.
Neal.	

The bill was read third time and passed finally, by the following vote:

Yeas—28.

Bailey.	Holbrook.
Berkeley.	Lewis.
Bledsoe.	Love.
Bowers.	McFarlane.
Fairchild.	Miller.
Floyd.	Moore.
Hall.	Parr.
Hardin.	Pollard.

Price.	Ward.
Real.	Westbrook.
Reid.	Wirtz.
Smith.	Witt.
Stuart.	Wood.
Triplett.	Woodward.

Absent.

Greer.	Russek.
Neal.	

Senate Bill No. 364.

Senator Stuart received unanimous consent to take up out of its regular order the following bill:

S. B. No. 364, A bill to be entitled "An Act amending Article 1302 of the Revised Civil Statutes of 1925 so as to authorize the formation of private corporations for the purposes of acquiring, owning and colonizing land, provided that no such corporation shall acquire or own more than 100,000 acres of land in this State; repealing any law or part of law in conflict herewith; and declaring an emergency."

The bill was read second time.

The bill was engrossed by the following vote:

Yeas—14.

Bledsoe.	Smith.
Bowers.	Stuart.
Hardin.	Triplett.
Love.	Ward.
Parr.	Witt.
Real.	Wood.
Reid.	Woodward.

Nays—10.

Bailey.	Lewis.
Berkeley.	McFarlane.
Fairchild.	Pollard.
Floyd.	Westbrook.
Hall.	Wirtz.

Absent.

Greer.	Neal.
Holbrook.	Price.
Miller.	Russek.
Moore.	

Senate Bill No. 325.

Senator Real received unanimous consent to take up out of its regular order the following bill:

S. B. No. 325, A bill to be entitled "An Act amending Article 4604 of the Revised Civil Statutes, 1925, relating to marriage licenses; requiring the county clerk to deliver in

person or by mailing the marriage license to the husband after the same is recorded; requiring the address of the husband to be stated in procuring a marriage license so that the original marriage license may be mailed to him by the county clerk, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Real, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 325 was put on its third reading and final passage, by the following vote:

Yeas—25.

Bailey.	Price.
Berkeley.	Real.
Bledsoe.	Reid.
Bowers.	Smith.
Fairchild.	Stuart.
Hall.	Triplett.
Hardin.	Ward.
Lewis.	Westbrook.
Love.	Wirtz.
McFarlane.	Witt.
Miller.	Wood.
Parr.	Woodward.
Pollard.	

Absent.

Floyd.	Moore.
Greer.	Neal.
Holbrook.	Russek.

The bill was read third time and passed finally.

Senate Bill No. 221.

Senator Love received unanimous consent to take up out of its regular order the following bill:

S. B. No. 221, A bill to be entitled "An Act amending Articles 4704 and 4708 of the Revised Civil Statutes of 1925 so as to provide that stock of any insurance company organized under the laws of this State shall be divided into shares of not less than ten dollars each and not more than one hundred dollars each; and providing that the affairs of any insurance company organized under the laws of this State shall be managed by not fewer than seven directors, all of whom shall be the stockholders in the company; and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Love, the constitutional rule requiring bills to

be read on three several days was suspended and S. B. No. 221 was put on its third reading and final passage, by the following vote:

Yeas—25.

Bailey.	Price.
Berkeley.	Real.
Bledsoe.	Reid.
Bowers.	Smith.
Fairchild.	Stuart.
Floyd.	Triplett.
Hall.	Ward.
Lewis.	Westbrook.
Love.	Wirtz.
McFarlane.	Witt.
Miller.	Wood.
Parr.	Woodward.
Pollard.	

Absent.

Greer.	Moore.
Hardin.	Neal.
Holbrook.	Russek.

The bill was read third time and passed finally, by the following vote:

Yeas—22.

Berkeley.	Real.
Bowers.	Reid.
Fairchild.	Smith.
Hall.	Stuart.
Holbrook.	Triplett.
Lewis.	Ward.
Love.	Westbrook.
McFarlane.	Wirtz.
Parr.	Witt.
Pollard.	Wood.
Price.	Woodward.

Absent.

Bailey.	Miller.
Bledsoe.	Moore.
Floyd.	Neal.
Greer.	Russek.
Hardin.	

Senate Bill No. 158.

The Chair laid before the Senate on third reading the following bill:

S. B. No. 158, A bill to be entitled "An Act amending Section 5, of Part 2, Article 8307 as contained in the Revised Civil Statutes of 1925, so as to provide that any interested party who is not willing and does not consent to abide by the final ruling and decision of the Industrial Accident Board, shall, within twenty days after the rendition of the final ruling and decision of said Board, file

with said Board notice that he will not abide by said final ruling and decision, eliminating the necessity of giving said notice to the adverse party; and declaring an emergency."

The bill was read third time and finally passed.

Senate Bill No. 206.

The Chair laid before the Senate on third reading the following bill:

S. B. No. 206, A bill to be entitled "An Act amending Article 4143 of the Revised Civil Statutes of 1925 relative to the bond of guardians so as to permit the premium on such bond, if made by a corporation authorized to issue and execute guaranty or indemnity bonds, to be paid out of the estate of the ward; and declaring an emergency."

The bill was read third time and finally passed by the following vote:

Yeas—24.

Bailey.	Price.
Berkeley.	Real.
Bledsoe.	Reid.
Bowers.	Smith.
Fairchild.	Stuart.
Hall.	Triplett.
Holbrook.	Ward.
Lewis.	Westbrook.
Love.	Witt.
McFarlane.	Wood.
Parr.	Wood.
Pollard.	Woodward.

Absent.

Floyd.	Moore.
Greer.	Neal.
Hardin.	Russek.
Miller.	

Senate Bill No. 12.

The Chair laid before the Senate on third reading the following bill:

S. B. No. 12, A bill to be entitled "An Act regulating the manner in which the property of Fire Insurance Companies and Casualty Companies organized under the provisions of the laws of this State shall be assessed for taxes, and declaring an emergency."

The bill was read third time and finally passed.

Senate Bill No. 275.

The Chair laid before the Senate on third reading the following bill:

S. B. No. 275, A bill to be entitled "An Act relative to white and negro

communities, in municipalities, to foster a separation of white and negro residence communities in the interest of peace, safety and welfare, fixing a penalty, and declaring an emergency."

The bill was read third time and finally passed.

Senate Bill No. 276.

The Chair laid before the Senate on third reading the following bill:

S. B. No. 276, A bill to be entitled "An Act authorizing cities which now have, or may hereafter have 5,000 or more inhabitants, in case of condemnation of land for laying out, establishing or enlarging parks, parkways or pleasure grounds to provide that the cost of such land should be paid for, wholly or in part by the property owners owning property in the vicinity thereof and benefited thereby, etc."

The bill was read third time and finally passed.

Senate Bill No. 368.

The Chair laid before the Senate on third reading the following bill:

S. B. No. 368, A bill to be entitled "An Act amending Article 4479 of the Revised Civil Statutes of 1925, so as to change the qualifications of members of boards of managers of county hospitals; providing for alternate appointments so that a portion of the members of such board will expire one year and a portion the next year; and declaring an emergency."

The bill was read third time and finally passed by the following vote:

Yeas—23.

Bailey.	Pollard.
Berkeley.	Price.
Bledsoe.	Real.
Bowers.	Reid.
Fairchild.	Smith.
Floyd.	Stuart.
Hall.	Triplett.
Holbrook.	Ward.
Lewis.	Wirtz.
Love.	Witt.
McFarlane.	Wood.
Parr.	

Absent.

Greer.	Neal.
Hardin.	Russek.
Miller.	Westbrook.
Moore.	Woodward.

Senate Bill No. 242.

The Chair laid before the Senate on third reading the following bill:

S. B. No. 242, A bill to be entitled "An Act providing for the regulation of automobile insurance by the Commissioner of Insurance; providing a penalty for the violation of the provisions thereof, and declaring an emergency."

The bill was read third time and laid on the table subject to call.

Senate Bill No. 21.

The Chair laid before the Senate on third reading the following bill:

S. B. No. 21, A bill to be entitled "An Act to repeal Chapter 49, of the Acts of the Thirty-ninth Legislature, of 1925, of the State of Texas, now Article 727-A of the Code of Criminal Procedure of 1925, relating to the exclusion of evidence obtained in violation of Constitutional Laws of the State of Texas, or of the United States of America."

The bill was read third time.

Senator Wirtz sent up the following amendment:

Amend S. B. No. 21, as amended by adding after the words "private residence", the words, "actual place of habitation".

The amendment was read and adopted by unanimous vote.

The bill was finally passed.

Message From the Governor.

The Chair recognized the doorkeeper who introduced a messenger from the Governor with the following Executive Message:

Executive Department,

February 25, 1927.

To the Honorable Senate of the State of Texas:

Gentlemen: With your advice and consent, I desire to appoint the following named persons as notaries public of the respective counties listed below. These are presented for appointment under authority of Senate Bill No. 29 of the Fortieth Legislature:

Travis County.

Irma Johnson, Austin, Texas;
Ruth Macow, Austin, Texas.

Burleson County.

Nettie B. Pace, Somerville, Texas;
T. Kraitchar, Caldwell, Texas.

Brazoria County.

J. T. Loggins, Angleton, Texas.

Dallas County.

Mrs. Freda Kelso, 1233 Louisiana Street, Dallas, Texas.

Lamar County.

S. O. Cochran, Powderly, Texas.

Navarro County.

M. V. Walton, Corsicana, Texas.

Montague County.

True Strong, Nacona, Texas.

Eastland County.

J. C. Allison, Eastland, Texas.

Fischer County.

H. T. Fillingim, Roby, Texas.

Stephens County.

Annabel Whitley, Breckenridge, Texas.

Shackelford County.

Jewell Williams, Albany, Texas.

Taylor County.

Seth Sayles, Abilene, Texas.

Johnson County.

C. P. Johnson, Cleburne, Texas.

Camp County.

W. Clyde Hull, Pittsburg, Texas;
 W. N. Hull, Pittsburg, Texas; H. Y.
 Black, Pittsburg, Texas; Joe R.
 Hooten, Pittsburg, Texas; C. E.
 Bryson, Pittsburg, Texas; V. B.
 Grouch, Pittsburg, Texas.

Upshur County.

Mrs. M. M. Lester, James, Texas;
 M. P. Mell, Gilmer, Texas; W. R.
 Stephens, Gilmer, Texas.

Respectfully submitted.

DAN MOODY,
 Governor.

House Bills Read and Referred.

After their captions were read,
 the Chair referred the following
 bills.

House Bill No. 501 referred to
 Committee on Banking.

House Bill No. 502 referred to
 Committee on Banking.

House Bill No. 503 referred to
 Committee on Banking.

House Bill No. 504 referred to
 Committee on Banking.

House Bill No. 505 referred to
 Committee on Banking.

House Bill No. 506 referred to
 Committee on Banking.

House Bill No. 507 referred to
 Committee on Banking.

House Bill No. 508 referred to
 Committee on Banking.

House Bill No. 509 referred to
 Committee on Banking.

House Bill No. 510 referred to
 Committee on Banking.

House Bill No. 511 referred to
 Committee on Banking.

House Bill No. 512 referred to
 Committee on Banking.

House Bill No. 513 referred to
 Committee on Banking.

House Bill No. 514 referred to
 Committee on Banking.

Bills Signed.

After their captions were read,
 the Chair signed in the presence of
 the Senate the following bills:

S. B. No. 223. S. B. No. 230.

Senate Bill No. 264.

On the motion of Senator Pollard,
 S. B. No. 264 was placed on the
 table subject to call.

Senate Bill No. 175.

Senator McFarlane called from the
 table the following bill:

S. B. No. 175, A bill to be entitled
 "An Act to provide for a license for
 non-resident and aliens who fish in
 the inland and coastal waters of the
 State of Texas and to provide for a
 license for male residents of the
 State of Texas who have reached the
 age of 17 years that fish in any of
 the inland or coastal waters of Tex-
 as, except in the county of their
 residence; and to provide for a li-
 cense for such male residents who
 shall fish with artificial lures in any
 of the inland or coastal waters of
 Texas; to prescribe the license fees
 for such licenses and to provide for
 the issuance of such license by the
 Game, Fish and Oyster Commission-
 er, his deputies, county clerks
 or other legally authorized agents;
 and to provide for the payment of

these officers for the issuance of said licenses, and to provide for keeping a record of the license issued, and to provide for the disposition of the funds from said licenses, and to provide penalties for the failure of persons to procure a license to fish where the same are required, and to define the term non-resident as used in this Act, and declaring an emergency.

The bill was read second time and laid on the table subject to call.

Senate Bill No. 254.

Senator Floyd received unanimous consent to take up out of its regular order the following bill:

S. B. No. 254, A bill to be entitled "An Act to relieve the Board of Regents of the University of Texas, and the executor, devisees and estate of W. J. McDonald, deceased, from the payment of and liability for inheritance taxes with respect to the W. J. McDonald Observatory Fund bequeathed by the will of said McDonald to such regents as trustees."

The bill was read second time and passed to engrossment.

Executive Session.

On motion of Senator Hall, the Senate at 4:45 p. m. went into executive session to consider nominations of the Governor, and the Committee on Governor's nominations was to report immediately.

After Executive Session.

The Secretary reported to the Journal Clerks that confirmation of the following appointees in executive session:

Honorable Clark M. Mullican of Lubbock County, as Judge of the District Court of the Ninety-ninth Judicial District.

Honorable Homer L. Pharr of Lubbock County, as Judge of the District Court of the Seventy-second Judicial District.

Honorable William J. Tucker of Gregg County, to be Game, Fish and Oyster Commissioner of the State of Texas.

Honorable William Z. Hayes of Dallas County, to be a member of the Board of Regents of the Texas State Teachers' College for a term of six years.

Honorable J. D. Jackson of Brewster County, to be a member of the

Board of Regents of the Texas State Teachers' Colleges to fill the unexpired term of Miss Margie N. Neal, resigned.

Honorable W. H. Black to be Notary Public in and for Dallas County, Texas, his term to expire on June 1, 1927. (This appointment is made by authority of Senate Bill No. 29, of the Fortieth Legislature.)

The following named persons as notaries public of the respective counties set opposite the names:

Dallas County.

Ray Morris.

Hopkins County.

T. C. Dodson.

Red River County.

Edward Edwards.

Harris County.

E. A. Fuese.

Henderson County.

M. A. Asher; Eva Barfoot.

Upshur County.

Mrs. Era Bledsoe, Gilmer, Texas; J. J. Briggs, Gilmer, Texas; A. F. Shepperd, Gilmer, Texas; John H. Tackitt, Gilmer, Texas; Ella Virge Bullard.

Van Zandt County.

Lilla Bateman, Canton Texas; Mae Davis, Wills Point, Texas; Lottie Miller, Wills Point, Texas; Jack T. Life, Wills Point, Texas; Gordon R. Wynne, Wills Point, Texas; Daisy Blalock, Wills Point, Texas.

Smith County.

Lee Browning, Winona, Texas; Benjamin Clyde Floyd, Tyler, Texas; Mrs. L. W. Griffles, Tyler, Texas; Nellie Rae Solinger, Tyler, Texas; S. W. Davis, Tyler, Texas; John A. Bryant, Tyler, Texas; Ruby Myhand, Tyler, Texas; B. T. Walters, Tyler, Texas; F. R. Allen, Tyler, Texas; H. M. Collins, Tyler, Texas; Kathryn Bott, Tyler, Texas; J. R. Smith, Tyler, Texas; Robert Spence, Tyler, Texas.

Wood County.

C. L. Shamburger, Quitman, Texas; J. E. Billingsley, Mineola, Tex-

as; Mrs. C. B. Belk, Alba, Texas; B. F. Cathey, Quitman, Texas; W. W. Chapman, Alba, Texas; J. D. Dowell, Mineola, Texas; J. W. Reed, Mineola, Texas; J. B. Woods, Mineola, Texas; C. W. Vickery, Mineola, Texas; Avis Britton Cooper, Quitman, Texas.

Camp County.

C. E. Bryson, Pittsburg, Texas.

Tom Green County.

Fredrick Pfendler, Jr., San Angelo, Texas; Mary V. Setzer, San Angelo, Texas; Robert T. Neill, San Angelo, Texas.

Jack County.

Lorena Turpin, Jacksboro, Texas.

Palo Pinto County.

W. A. Herring, Palo Pinto, Texas.

Coleman County.

Miss Ethel Whetstone, Santa Anna, Texas; J. O. Martin, Santa Anna, Texas; Miss Mariana Dibrell, Coleman, Texas.

Brown County.

J. A. Nunley, Bangs, Texas; J. J. Timmins, Brownswood, Texas; Miss Carrie Reaves, Brownwood, Texas.

Hill County.

Horton B. Porter, Hillsboro, Texas.

Midland County.

Jno. N. Wells.

Jefferson County.

Lela DuBose, Beaumont, Texas; Deete Etheredge, Beaumont, Texas; Vianna Frazier, Port Arthur, Texas; W. C. Gray, Beaumont, Texas; Bessie Hamner, Beaumont, Texas.

Dallam County.

Miss Stella Stull, Dalhart, Texas; Ernest Fox, Dalhart, Texas.

Hutchinson County.

D. I. Watner, Borger, Texas.

Potter County.

L. G. Watner, Amarillo, Texas.

Dallas County.

Mrs. A. J. Clements, 1002 Santa Fe Bldg., Dallas, Texas; H. H.

Green, care W. A. Green Co., Dallas, Texas; R. E. Hill, care W. A. Green Co., Dallas, Texas; Norwood L. Williams, 324 Slaughter Bldg., Dallas, Texas.

Tarrant County.

Edna Ferreira, Marland Oil Company, Fort Worth, Texas; Mrs. H. M. Hall, care Boesch Loan Co., Fort Worth, Texas; Ires Prosser, care Shead & Evridge, Burk Burnett Building, Fort Worth, Texas; Miss Ruth Attaway, 1008 First National Bank Bldg., Fort Worth, Texas; Miss Mary A. White, 607 Burk Burnett Building, Fort Worth, Texas; Jessie Hergert, 4162 Hemphill St., Fort Worth, Texas; Julia Motley, 1605 E. Oleander Street, Fort Worth, Texas.

Travis County.

Irma Johnson, Austin, Texas; Ruth Macow, Austin, Texas.

Burleson County.

Nettie B. Pace, Somerville, Texas; T. Kraitchar, Caldwell, Texas.

Brazoria County.

J. T. Loggins, Angleton, Texas.

Dallas County.

Mrs. Freda Kelso, 1233 Louisiana Street, Dallas, Texas.

Lamar County.

S. O. Cochran, Powderly, Texas.

Navarro County.

M. V. Walton, Corsicana, Texas.

Montague County.

True Strong, Nacona, Texas.

Eastland County.

J. C. Allison, Eastland, Texas.

Fischer County.

H. T. Fillingim, Roby, Texas.

Stephens County.

Annabel Whitley, Breckenridge, Texas.

Shackelford County.

Jewell Williams, Albany, Texas.

Taylor County.

Seth Sayles, Abilene, Texas.

Johnson County.

C. P. Johnson, Cleburne, Texas.

Camp County.

W. Clyde Hull, Pittsburg, Texas;
W. N. Hull, Pittsburg, Texas; H. Y.
Black, Pittsburg, Texas; Joe R.
Hooten, Pittsburg, Texas; C. E.
Bryson, Pittsburg, Texas; V. B.
Crouch, Pittsburg, Texas.

Upshur County.

Mrs. M. M. Lester, James, Texas;
M. P. Mell, Gilmer, Texas; W. R.
Stephens, Gilmer, Texas.

Substitutes for Trip to State Farms.

On motion of Senator Fairchild,
Senators Floyd and Bailey were sub-
stituted for Senators Hall and Rus-
sek who could not make the trip to
the State Farms.

Bills Introduced.

Unanimous consent was granted
to send up the following bills:

By Senators Berkeley and Wood-
ward, by request:

S. J. R. No. 28, A joint resolution
proposing an amendment to the
State Constitution authorizing Tom
Green, Schleicher, Sutton, Edwards
and Val Verde Counties or districts
in said counties, pursuant to a ma-
jority vote of the property taxpay-
ing voters in said counties or dis-
tricts, to issue bonds and invest the
proceeds thereof in aid of railroad
construction.

Read first time and referred to
Committee on Constitutional Amend-
ments.

By Senator Smith:

S. B. No. 435, A bill to be entitled
"An Act to validate the sale of lot
nine, in Block Six, town of Snyder,
Scurry County, Texas, as shown by
plat of said town on Deed Records
of Scurry County, Texas, which sale
was made by R. J. Nesbitt, County
Judge, to R. F. Powell, September
15, 1884; and to vest fee simple
title in R. F. Powell, his heirs and
assigns; and declaring an emer-
gency."

Read first time and referred to
Committee on Public Lands and
Land Office.

By Senator Witt:

S. B. No. 436, A bill to be entitled
"An Act to amend Article 955 of the
Revised Criminal Statutes of 1925
prohibiting the sale of fish taken
from fresh water streams of certain
named counties, and also providing
means and methods of taking and
possessing fish from fresh water
streams in said counties by omitting
name of the County of Milam from
said list of counties, and declaring
an emergency."

Read first time and referred to
Committee on State Affairs.

By Senators Love and Westbrook:

S. J. R. No. 29, A joint resolution
"Ratifying an amendment to the
Constitution of the United States re-
lating to the labor of persons under
eighteen years of age."

Read first time and referred to
Committee on Constitutional Amend-
ments.

Adjournment.

On the motion of Senator Wirtz,
the Senate at 5:05 o'clock adjourn-
ed until Monday morning at 10:00
o'clock a. m.

Committee on Enrolled Bills.

Committee Room,

Austin, Texas, Feb. 24, 1927.

Hon. Barry Miller, President of the
Senate.

Sir: We, your Committee on En-
rolled Bills have had S. B. No. 179
carefully examined and compared,
and find the same correctly enrolled
and have this day at 5:45 o'clock p.
m. presented the same to the Gov-
ernor for his approval.

FLOYD, Chairman.

Committee Room,

Austin, Texas, Feb. 24, 1927.

Hon. Barry Miller, President of the
Senate.

Sir: We, your Committee on En-
rolled Bills have had S. B. No. 117
carefully examined and compared,
and find the same correctly enrolled
and have this day at 5:45 o'clock p.
m. presented the same to the Gov-
ernor for his approval.

FLOYD, Chairman.

Committee Room,

Austin, Texas, Feb. 24, 1927.

Hon. Barry Miller, President of the
Senate.

Sir: We, your Committee on En-
rolled Bills have had S. B. No. 60

carefully examined and compared, and find the same correctly enrolled and have this day at 5:45 o'clock p. m. presented the same to the Governor for his approval.

FLOYD, Chairman.

Committee Room,
Austin, Texas, Feb. 24, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills have had S. B. No. 142 carefully examined and compared, and find the same correctly enrolled and have this day at 5:45 o'clock p. m. presented the same to the Governor for his approval.

FLOYD, Chairman.

Committee Room,
Austin, Texas, Feb. 24, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills have had S. B. No. 66 carefully examined and compared, and find the same correctly enrolled and have this day at 5:45 o'clock p. m. presented the same to the Governor for his approval.

FLOYD, Chairman.

Committee Room,
Austin, Texas, Feb. 24, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills have had S. B. No. 356 carefully examined and compared, and find the same correctly enrolled and have this day at 2:40 o'clock p. m. presented the same to the Governor for his approval.

WITT, Vice-Chairman.

Committee Room,
Austin, Texas, Feb. 24, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills have had S. B. No. 245 carefully examined and compared, and find the same correctly enrolled and have this day at 2:40 o'clock p. m. presented the same to the Governor for his approval.

WITT, Vice-Chairman.

Committee Room,
Austin, Texas, Feb. 24, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills have had S. B. No. 3

carefully examined and compared, and find the same correctly enrolled and have this day at 2:40 o'clock p. m. presented the same to the Governor for his approval.

WITT, Vice-Chairman.

Committee Room,
Austin, Texas, Feb. 24, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills have had S. B. No. 139 carefully examined and compared, and find the same correctly enrolled and have this day at 4:00 o'clock p. m. presented the same to the Governor for his approval.

FLOYD, Chairman.

Committee Room,
Austin, Texas, Feb. 24, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills have had S. B. No. 232 carefully examined and compared, and find the same correctly enrolled and have this day at 4:00 o'clock p. m. presented the same to the Governor for his approval.

FLOYD, Chairman.

Committee Room,
Austin, Texas, Feb. 24, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills have had S. B. No. 235 carefully examined and compared, and find the same correctly enrolled and have this day at 4:00 o'clock p. m. presented the same to the Governor for his approval.

FLOYD, Chairman.

Committee Room,
Austin, Texas, Feb. 24, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills have had S. B. No. 248 carefully examined and compared, and find the same correctly enrolled and have this day at 4:00 o'clock p. m. presented the same to the Governor for his approval.

FLOYD, Chairman.

Committee on Engrossed Bills.

Committee Room,
Austin, Texas, Feb. 25, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 242

carefully examined and compared, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Reports.

Committee Room,

Austin, Texas, Feb. 25, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred

S. J. R. No. 27, A joint resolution "Proposing an amendment to the State Constitution providing that the permanent university fund shall be invested in bonds of the State of Texas, United States bonds, or bonds issued under and by virtue of the Federal Farm Loan Act approved by the President of the United States, July 17, 1916, and amendments thereto."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the committee substitute resolution hereto attached do pass in lieu thereof.

STUART, Chairman.

Committee Room,

Austin, Texas, Feb. 25, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

S. B. No. 434, A bill to be entitled "An Act to repeal Chapter 63, special law passed by the Thirty-third Legislature, and to repeal Chapter 98, special law passed by the Thirtieth Legislature, being special road laws, and amendments thereto for Brazoria County, and declaring an emergency."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass, and be not printed.

FLOYD, Chairman.

(Majority Report.)

Committee Room,

Austin, Texas, Feb. 23, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, a majority of your Committee on Constitutional Amendments, to whom was referred

H. J. R. No. 25, A joint resolution "Proposing an amendment to the Constitution of the State of Texas, providing for the separation of the subjects of taxation for the support of the State government and for the support of the counties, districts and political subdivisions of the State and counties; authorizing laws so that counties, districts and political subdivisions of the State and counties may be supported in whole or in part by an ad valorem tax, and the State government in whole or in part by other sources of revenue; providing the powers given by the Legislature may be exercised to substitute another system of taxation, or may be exercised as cumulative of powers already existing relative to taxation; permitting the substitution of some other tax where an ad valorem tax is levied for a specific purpose; providing taxes shall be equal and uniform on the same class of property, privileges and occupations; limiting the rates or the ad valorem tax provided for herein; prohibiting a tax on certain property already specifically exempted; providing for the submission of this amendment to the people for ratification, and making an appropriation to pay therefor."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass.

STUART, Chairman.

(Minority Report.)

Committee Room,

Austin, Texas, Feb. 23, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, a minority of your Committee on Constitutional Amendments, to whom was referred

H. J. R. No. 25, A joint resolution "Proposing an amendment to the Constitution of the State of Texas, providing for the separation of the subjects of taxation for the support of the State government and for the support of the counties, districts and political subdivisions of the State and counties; authorizing laws so that counties, districts and political subdivisions of the State and counties may be supported in whole or in part by an ad valorem tax, and the State government in whole or in part by other sources of revenue; providing the powers given by the

Legislature may be exercised to substitute another system of taxation, or may be exercised as cumulative of powers already existing relative to taxation; permitting the substitution of some other tax where an ad valorem tax is levied for a specific purpose; providing taxes shall be equal and uniform on the same class of property, privileges and occupations; limiting the rates or the ad valorem tax provided for herein; prohibiting a tax on certain property already specifically exempted; providing for the submission of this amendment to the people for ratification, and making an appropriation to pay therefor."

Beg leave to differ from the majority and report same back to the Senate with the recommendation that it do not pass.

MOORE,
TRIPLETT.

Committee Room,
Austin, Texas, Feb. 25, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred,

S. B. No. 395, A bill to be entitled "An Act to create a District Court of Dallas County, to be known as the Juvenile District Court of Dallas County, to define the jurisdiction thereof, fixing the salary of the judge of said court; providing for the appointment and election of the judge of said courts hereby created; providing for the transfer of causes to said court; providing for the appointment of special judges and filling of vacancies in said offices; providing for the drawing of jurors for said court and for the exchange with other district judges, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

FAIRCHILD, Vice-Chairman.

Committee Room,
Austin, Texas, Feb. 25, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Public Buildings and Grounds, to whom was referred,

H. B. No. 264, A bill to be entitled "An Act to authorize the Commis-

sioner of the General Land Office to revalue, reclassify and give new notice on all scrap school surveys, which were valued and classified on March 26, 1926, and to allow all applicants sixty days after such reclassification and revaluation in which to file applications to purchase said land and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

SMITH, Chairman.

Committee Room,
Austin, Texas, Feb. 25, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred,

S. B. No. 217, A bill to be entitled "An Act to adequately provide for the support of the wife and the education and support of minor children, by the husband; authorizing the necessary suits; procedure, orders and judgments, to carry out the purposes of this Act; and declaring an emergency."

Have had same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

FAIRCHILD, Vice-Chairman.

Senator Woods received unanimous consent to have the following printed in the Journal:

By Wood. C. S. S. J. R. No. 27.

A JOINT RESOLUTION

Proposing an amendment to the State Constitution providing that the permanent university fund shall be invested in bonds of the United States, the State of Texas, or counties of said State, or in school bonds of municipalities or school districts in this State, or in bonds of any city of this State having a population of 10,000 or more according to the latest United States census, or in bonds issued under and by virtue of the Federal Farm Loan Act approved by the President of the United States, July 17, 1916, and amendments thereto.

Be it resolved by the Legislature of the State of Texas:

Section 1. That Section 11 of Article VII of the Constitution of the State of Texas be amended so as to read as follows:

"Section 11. In order to enable the Legislature to perform the duties set forth in the foregoing section, it is hereby declared that all lands and other property heretofore set apart and appropriated for the establishment and maintenance of the University of Texas, together with all the proceeds of sales of the same, heretofore made or hereafter to be made, and all grants, donations and appropriations that may hereafter be made by the State of Texas, or from any other source, shall constitute and become a permanent university fund. And the same as realized and received into the treasury of the State (together with such sums belonging to the fund, as may now be in the treasury), shall be invested in bonds of the United States, the State of Texas, or counties of said State, or in school bonds of municipalities or school districts in this State, or in bonds of any city of this State having a population of 10,000 or more according to the latest United States census, or in bonds issued under and by virtue of the Federal Farm Loan Act approved by the President of the United States, July 17, 1916, and amendments thereto; and the interest accruing thereon shall be subject to appropriation by the Legislature to accomplish the purpose declared in the foregoing section; provided, that the one-tenth of the alternate sections of the lands granted to railroads, reserved by the State, which were set apart and appropriated to the establishment of the University of Texas, by an Act of the Legislature of February 11, 1858, entitled, 'An Act to establish the University of Texas', shall not be included in, or constitute a part of, the permanent university fund."

Section 2. Said proposed amendment shall be voted on by the electors of this State qualified to vote on constitutional amendments at an election to be held throughout the State on the first Monday in August, A. D. 1927, at which each voter opposing said amendment shall scratch off of the ballot with pen or

pencil the following words printed thereon:

"For the amendment to the State Constitution providing that the permanent university fund shall be invested in bonds of the United States, the State of Texas, or counties of said State, or in school bonds of municipalities or school districts in this State, or in bonds of any city of this State having a population of 10,000 or more according to the latest United States census, or in bonds issued under and by virtue of the Federal Farm Loan Act approved by the President of the United States, July 17, 1916, and amendments thereto;" and each voter favoring said amendment shall scratch off of the ballot in the same manner, the following words printed thereon: "Against the amendment to the State Constitution providing that the permanent university fund shall be invested in bonds of the United States, the State of Texas, or counties of said State, or in school bonds of municipalities or school districts in this State, or in bonds of any city of this State having a population of 10,000 or more according to the latest United States census, or in bonds issued under and by virtue of the Federal Farm Loan Act approved by the President of the United States, July 17, 1916, and amendments thereto."

If it shall appear from a return of said election that a majority of the votes cast have been cast in favor of said amendment, it shall become a part of the Constitution of the State of Texas.

Section 3. The Governor shall issue his proclamation calling said election and have the same published and said election held in accordance with this resolution and the Constitution and Laws of this State; and return shall be made and the votes canvassed and counted as provided by law; and if said amendment is adopted by the required vote of the qualified electors of this State, the Governor shall issue his proclamation as required by law.

Section 4. The sum of three thousand dollars or so much thereof as may be necessary, is hereby appropriated out of the State Treasury to pay for publication of the proclamation calling said election and any expense of the State in sub-

mitting said amendment and holding said election.

Committee Room,

Austin, Texas, Feb. 25, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred, S. B. No. 432, A bill to be entitled "An Act to extend Oil and Gas Permit Number 9892 covering about 540 acres in the Bed of the San Bernard River, issued on September 22, 1925, such extension to be for a period of two years from the present date of expiration of said Permit, and declaring an emergency."

Have had same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed, but be printed in the Journal.

WIRTZ, Chairman.

By Holbrook.

S. B. No. 432.

Whereas, Oil and Gas Permit Number 9892 covering about 540 acres of the bed of the San Bernard River in Brazoria County, Texas, was issued to F. Dunn on September 22, 1925 for a period of two years from said date, which said Permit is now owned by Roxana Petroleum Corporation, and

Whereas, the owner of said Permit has drilled a well on said area to a depth of 4172 feet and has found oil to the extent of a daily production of only about two and one-half barrels, and

Whereas, said owner desires to further explore said area in order to save its investment therein and the time required for such exploration will in all probability extend beyond the present term of said Permit,

Therefore,

A BILL

To Be Entitled

An Act to extend Oil and Gas Permit Number 9892 covering about 540 acres in the Bed of the San Bernard River, issued on September 22, 1925, such extension to be for a period of two years from the present date of expiration of said permit, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. Oil and Gas Permit

Number 9892 covering about 540 acres of the Bed of the San Bernard River in Brazoria County, Texas, issued to F. Dunn on September 22, 1925 for a term of two years is hereby extended for a term of two years from the date of its expiration.

Sec. 2. Upon the expiration of said original Permit according to its present terms the Commissioner of the General Land Office shall issue to said F. Dunn, or the assignees of said F. Dunn then owning said Permit, a new Permit upon the same terms and conditions as contained in the said original Permit 9892, for a new term of two years from the date of the expiration of said original Permit.

Sec. 3. The crowded condition of the calendar creates an emergency and imperative necessity that the Constitutional rule requiring bills to be read on three separate days in each House of the Legislature be suspended and that this Bill be placed upon third reading and final passage, and it is so enacted.

Committee Room,

Austin, Texas, Feb. 25, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 431, A bill to be entitled "An Act to extend Oil and Gas Permit No. 10199, covering about 243 acres in the bed of the San Bernard River, issued on December 11, 1925, such extension to be for a period of two years from the present date of expiration of said permit, and declaring an emergency."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass and be not printed, but printed in the Journal.

WIRTZ, Chairman.

By Holbrook

S. B. No. 431

Whereas, Oil and Gas Permit No. 10199, covering about 243 acres of the bed of the San Bernard River in Brazoria County, Texas, was issued to R. T. Jameson on December 11, 1925, for a period of two years from said date, which said permit is now owned by Roxana Petroleum Corporation, and

Whereas, the owner of said permit

has drilled a well on said area to a depth of 1446 feet and then encountered cap rock and found no oil, and

Whereas, Said owner desires to further explore said area in order to save its investment therein and the time required for such exploration will in all probability extend beyond the present term of said permit,

Therefore,

A BILL

To Be Entitled

An Act to extend Oil and Gas Permit No. 10199, covering about 243 acres in the bed of the San Bernard River, issued on December 11, 1925, such extension to be for a period of two years from the present date of expiration of said permit, and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. Oil and Gas Permit No. 10199, covering about 243 acres of the bed of the San Bernard River in Brazoria County, Texas, issued to R. T. Jameson on December 11, 1925, for a term of two years is hereby extended for a term of two years from the date of its expiration.

Sec. 2. Upon the expiration of said original permit according to its present terms the Commissioner of the General Land Office shall issue to the said R. T. Jameson, or the assignees of said R. T. Jameson then owning said permit, a new permit upon the same terms and conditions as contained in the said original permit 10199, for a new term of two years from the date of the expiration of said original permit.

Sec. 3. The crowded condition of the calendar creates an emergency and imperative public necessity that the constitutional rule requiring bills to be read on three separate days in each House of the Legislature be suspended and that this bill be placed upon third reading and final passage, and it is so enacted.

THIRTY-FIRST DAY.

Senate Chamber.

Austin, Texas.

Monday, February 28, 1927.

The Senate met at 10:00 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Pollard.
Berkeley.	Price.
Bledsoe.	Real.
Bowers.	Reid.
Floyd.	Russek.
Greer.	Smith.
Hall.	Stuart.
Hardin.	Triplett.
Lewis.	Ward.
Love.	Westbrook.
McFarlane.	Wirtz.
Miller.	Witt.
Moore.	Wood.
Neal.	Woodward.
Parr.	

Absent—Excused.

Fairchild. Holbrook.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Lewis.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

Bills and Resolutions.

By Senator Hall.

S. B. No. 437, A bill to be entitled "An Act to revive and extend the time of expiration of Oil and Gas permit No. 7987 on 36.2 acres of the bed of Goose Creek in Harris County, Texas, for a period of three years from June 11, 1927, upon the same terms and conditions on which the original permit was issued, and declaring an emergency."

Read first time and referred to Committee on Public Land and Land Office.

By Senators Triplett, Reid and Floyd.

S. B. No. 438, A bill to be entitled "An Act providing that no money or benefits to be paid or rendered on a weekly, monthly, or other periodic or installment basis to the insured or any beneficiary under any policy of insurance issued by a life, health or accident insurance company, including mutual and fraternal annuities and benefits in use by any